Supreme Court, U.S.
FILED
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OFFICE OF THE CLERK

No. 96-

IN THE
SUPREME COURT OF THE UNITED STATES
October Term, 1996

RICHARD C. LUTZ,
Appellant

V.

THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA

On Petition For Writ of Certiorari
To The U.S. Court of Appeals for the Third Circuit

PETITION FOR WRIT OF CERTIORARI

Richard C. Lutz
Pro Se
6922 Vera Cruz Rd, So.
Zionsville, PA 18092
(610) 965-4469

20 pp

"Therefore, if any man can show any just cause why they may not be lawfully joined together, let him now speak, or else hereafter forever hold his peace."

Consonant with the context and text of both the Protocol of the Court and the Affidavit executed June 26, 1965, the ethic of Show Just Cause is elicited: upon what criteria does the Court both confirm and deny the same ethic?

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Case No. 95-1579
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Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit

ARGUMENT

Sirs,

As demonstrated before the Third Circuit Court of Appeals upon the precedent of Validity of Oath as sustained by the Ethic of Just Cause:

Whether or not Mr. Raymond E. Simmers, 1022 Sixth Street, North Catasauqua, Pennsylvania, acknowledged his obligation to stand in the defense of the Ethic of Just Cause, as accomplished in January 1942, is relevant, and by virtue of his presence as PFC Raymond E. Simmers, USMC, Co. "C", 1 Bn. 7th Marines, 1st Marine Division, FMF on January 10, 1944 at Cape Glouster, New Britain, Papua New Guinea, he must have.

Whether or not I, Richard C. Lutz, acknowledge my obligation,, to stand in the defense of the Ethic of Just Cause, as accomplished June 26, 1965, is relevant and by virtue of my presence before this Supreme Court, I must have.

Unfortunately, for P.F.C. Simmers, obligation to conscience precluded any such "protocol" as the Third Circuit Court of Appeals finds for itself, the State of Pennsylvania and its agents. As the Log

and Manifest of the Mortuary Ship Pendleton will attest, January 16, 1949 found him in the company of 4,503 other instances of Individual Merit, as published that date in the Allentown Call and Chronicle Newspapers, Allentown, Pennsylvania.

As demonstrated by the Third Circuit Court of Appeals upon the precedent of validity of Oath as sustained by the Ethic of Just Cause;

Whether or not the Third Circuit Court of Appeals acknowledges it's obligation to stand in the defense of the Ethic of Just Cause, as demonstrated by the Joint Session of Congress convened December 8, 1941 by President Franklin D. Roosevelt, is relevant, and by virtue of it's presence as witness only to it's obligations, it does not.

As demonstrated before the Third Circuit Court of Appeals;

The appointment of myself, Richard C. Lutz, as states prosecutor, attempted by the Lehigh County Court, under File No. 91-FC-875 dated The 10th Day of May, 1993, has not been accomplished. Titled as a Master's Notice, and signed by Thomas J. Calnan, the "Plea Bargain" it provided was denied, upon the precedent of perjury pursuant to bait and switch.

Constant with the fraud accomplished in 94-CV-07788/CA 95-1244 stands the Third Circuit Court of Appeals. It's judgement provides that full faith and credit to the public acts, records and judicial proceedings of the State of Pennsylvania can <u>not</u> be given.

Constant with the precedent of Third Party Intercession upon the Ethic of Just Cause, as accomplished December 7, 1941 by the Empire of Japan and its agents, stands the State of Pennsylvania and its agents, as accomplished by Lehigh County Pennsylvania Court of Common Pleas, File No. 91-FC-875, as dated May 21, 1991.

Consonant with denial and disparagement, the State of Pennsylvania and The Third Circuit Court of Appeals provide a protocol of extradition chartered upon an expression of bias-Impeachment of Text. Upon the premise of a protocol accomplished December 8, 1941, the Third Circuit Court of Appeals, provides that it stands as witness only to its obligations.

As demonstrated upon the premise of No Fault/Privitization by the Legislature of the State of Pennsylvania; as demonstrated by the Lehigh County Court upon the premise of No Fault/Privitization; as demonstrated upon the premise of No Fault/Privitization by the "Rev." Susan Pizor-Yoder, of 5181 Gary Drive, Emmaus, Pennsylvania, on September 22, 1996; in conducting a marriage ceremony; as demonstrated by and as sustained by the Third Circuit Court of Appeals upon the premise of No Fault/Privitization; -- if, as the aforementioned provide, they stand as witness only to their obligations, how then do they sustain the bearing of witness? Absent the bearing of witness, how do they render judgement?

If as the aforementioned demand, I stand as witness only to my obligations, how then do I sustain the bearing of witness? Absent the bearing of witness, how do I render judgment?

Does the Third Circuit Court of Appeals render judgement or extortion?

SWORN TO AND SUBSCRIBED
TO BEFORE ME
THIS 28th DAY OF October 1996

NOTARY PUBLIC

Respectfully Submitted
Pro Se,

Richard C. Lutz

Richard C. Lutz

NOTARIAL SEAL
JOSEPH F. GOETZ, Notary Public
Emmaus Borough, Lehigh County
My Commission Expires Aug. 3, 2000

Case No. 95-1579

The Supreme Court of the United States

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Richard Charles Lutz vs. Attorney General of the State of PA

Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit

PRECEDENTS

Articles of Confederation - January 21, 1781

Ordinance of 1787

Constitution of the United States - 1788

Bill of Rights to include the 13th and 14th Amendments

U.S. vs. Charles "Lucky" Luciano - 1947

Deportation of

West Virginia Board of Education vs. Barnette - 1943

U.S. vs. John Demjanjuk - 1994

Fraud conviction sustained against federal prosecuting attorneys.

Case No. 95-1579

The Supreme Court of the United States

October 18, 1996

Richard Charles Lutz vs. Attorney General of the State of PA

Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit

APPENDIX

Case No. 95-1579
The Supreme Court of the United States
September 9, 1996
Richard Charles Lutz vs. Attorney General of the State of PA
Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit

THIS CERTIFIES THAT

"s/Richard C. Lutz

and

"s/Eleanor A. Shoff

were united by me in

HOLY MARRIAGE

on the twenty-sixth (26th) day of June in the year of our Lord, Nineteen Hundred Sixty-five (1965) at Old Zionsville, Pennsylvania in accordance with the Rites of the Evangelical and Reformed Church (United Church of Christ) and the Laws of the State of Pennsylvania.

"s/Rev. Calvin A. Wolfgang
Pastor of Old Zionsville United Church of Christ

Witnesses:

"s/Mrs. Raymond Weierbach
"s/James E. Lutz

Case No. 95-1579
The Supreme Court of the United States
September 9, 1996
Richard Charles Lutz vs. Attorney General of the State of PA
Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit

IN THE COURT OF COMMON PLEAS OF
LEHIGH COUNTY, PENNSYLVANIA
CIVIL DIVISION

ELEANOR A. LUTZ	:	
2125 Pleasant View Road	:	
Quakertown, PA 18951	:	FILE NO. 91-FC-875
Plaintiff	:	
vs.	:	
RICHARD C. LUTZ	:	CIVIL ACTION
6922 Vera Cruz Road, South	:	IN DIVORCE
Zionsville, PA 18092	:	
Defendant	:	

NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a Decree of Divorce or annulment may be entered against you by the Court. A judgment may also be entered against you for any other claim or relief requested in these papers by the Plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

When the ground for the Divorce is indignities or irretrievable breakdown of the marriage, you may request marriage

counseling. A list of marriage counselors is available in the office of

Clerk of Courts - Civil Division
Second Floor Room 202
Lehigh County Courthouse
Fifth and Hamilton Streets
Allentown, PA 18101

If you do not file a claim for alimony, division of property, lawyer's fees or expenses before a divorce or annulment is granted, you may lose the right to claim any of them.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Lehigh County Lawyer Referral Service
Third Floor, Room 304
Fifth and Hamilton Streets
Allentown, PA 18101

Telephone: 215-433-7094

"s/John M. Yarema
Esquire

Case No. 95-1579
The Supreme Court of the United States
September 9, 1996
Richard Charles Lutz vs. Attorney General of the State of PA
Petition for Writ of Certiorari to the United States Court of Appeals for the Third Circuit

IN THE COURT OF COMMON PLEAS OF
LEHIGH COUNTY, PENNSYLVANIA
CIVIL DIVISION

ELEANOR A. LUTZ,	:	
Plaintiff	:	
vs.	:	FILE NO. 91-FC-875
RICHARD C. LUTZ	:	IN DIVORCE
Defendant	:	

MASTER'S NOTICE

TO: Eleanor A. Lutz, Plaintiff	:	TO: Richard C. Lutz, Defendant
c/o David Snyder	:	6922 Vera Cruz Rd, So.
4930 Jasper Road	:	Zionsville, PA 18092
Emmaus, PA 18049	:	

YOU ARE HEREBY NOTIFIED THAT THE COURT OF COMMON PLEAS OF LEHIGH COUNTY HAS APPOINTED THE UNDERSIGNED MASTER IN THE ABOVE ENTITLED DIVORCE CASE AND THAT HE WILL SIT FOR THE PERFORMANCE OF HIS DUTIES ON Tuesday, June 8, 1993, AT 9:30 a.m., AT HIS OFFICE AT 535 Hamilton St, Suite 104, Allentown, PA 18101, WHEN AND WHERE YOU MAY

APPEAR WITH WITNESSES IN YOUR BEHALF IF YOU SEE FIT AND PROPER TO DO SO.

WITNESS THE HAND OF THE MASTER, THE 10th DAY OF MAY, 1993.

"s/Thomas J. Calnan
Attorney and Master

COMMONWEALTH OF PENNSYLVANIA:
: SS:
COUNTY OF LEHIGH :

THE UNDERSIGNED, MASTER IN DIVORCE, BEING DULY SWORN ACCORDING TO LAW, DEPOSES AND SAYS THAT A COPY OF THE ABOVE NOTICE WAS SERVED ON THE FOLLOWING PERSONS ON THE DATE, AND IN THE MANNER LISTED BELOW PURSUANT TO PA.R.C.P. 1920.51 AND LEHIGH COUNTY RULE 1920.51(C): A copy of the above notice was sent to the Plaintiff, Eleanor A. Lutz, and to the Defendant, Richard C. Lutz, at the above addresses, and to their respective attorneys: John M. Yarema, Esq., Attorney for Plaintiff and Andrew K. Parker, Esq., Attorney for Defendant, by Regular, First-Class U.S. Mail, on May 10, 1993.

"s/Thomas J. Calnan
Attorney and Master

SWORN AND SUBSCRIBED BEFORE ME
THIS 10TH DAY OF May, 1993.

"s/Wendy S. Bartholmew
Notary Public

Case. No. 95-1579
The Supreme Court of the United States
October 18, 1996
Richard Charles Lutz vs. Attorney General of the State of PA
Petition for Writ of Certiorari to the United States of
Appeals for the Third Circuit

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NO. 95-1579

RICHARD C. LUTZ,

Appellant

V.

THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA

Appeal from the United States District Court
for the Eastern District of Pennsylvania
D.C. Civil Action No. 95-cv-00048
(District Judge: Honorable Franklin S. VanAntwerpen)

Submitted Under 3rd Circuit LAR 34.1(a)
May 21, 1996
Before: BECKER, McKEE, and GARTH
Circuit Judges.

JUDGMENT ORDER

After consideration of all contentions raised by

Appellant, it is

ADJUDGED AND ORDERED that the order of the district court of May 3, 1995 be and is hereby AFFIRMED.

Costs taxed against appellant.

BY THE COURT:

"s/Edward R. Becker
Circuit Judge

Attest:
"s/P. Douglas Sisk
P. Douglas Sisk, Clerk
July 10, 1996

Certified as a true copy and issued in lieu of a formal mandate on October 29, 1996
Teste: "s/Bradford A. Baldus
Chief Deputy Clerk, U.S. Court of Appeals for the Third Circuit.

Case. No. 95-1579
The Supreme Court of the United States
October 18, 1996
Richard Charles Lutz vs. Attorney General of the State of PA
Petition for Writ of Certiorari to the United States of
Appeals for the Third Circuit

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICHARD C. LUTZ	:	
	:	CIVIL ACTION
V.	:	
	:	NO. 95-0048
THE ATTORNEY GENERAL	:	
OF THE STATE OF	:	
PENNSYLVANIA	:	

ORDER

AND NOW, this 2nd day of May, 1995, it is hereby Ordered that the above case is Dismissed for Lack of Prosecution. This action was filed on January 5, 1995, and service was effected on January 30, 1995. Plaintiff has been notified by the Clerk that failure to file a request for default by April 24, 1995, or to show good cause as to why this case should not be dismissed would result in dismissal for lack of prosecution. As of this date plaintiff has neither requested default, nor shown good cause as to why this should not be dismissed, therefore dismissal is warranted.

AND IT IS SO ORDERED.

"s/Franklin S. Van Antwerpen
Franklin S. Van Antwerpen, J.

Filed: May 3, 1995